

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Paul Stefanyshyn,

Plaintiff,

v.

Civ. No. 05-0559 (JNE/JGL)
ORDER

Shafer Contracting Co., Inc.,

Defendant.

This case is before the Court on a Report and Recommendation issued by the Honorable Jonathan G. Lebedoff, Chief United States Magistrate Judge, on May 26, 2005. The Court has received Stefanyshyn's objections to the Report and Recommendation and Shafer Contracting Co., Inc.'s response to the objections. Based on a de novo review of the record, the Court adopts the Report and Recommendation. Accordingly, IT IS ORDERED THAT:

1. Defendant's Motion to Dismiss [Docket No. 5] is GRANTED.
2. Plaintiff's Complaint is DISMISSED WTH PREJUDICE.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: June 27, 2005

s/ Joan N. Erickson
JOAN N. ERICKSEN
United States District Judge